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Filing date: **12/22/2020**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91239589
Party	Defendant Bowmaker's Whiskey Company
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Date	12/22/2020
Attachments	STIPULATION.pdf(84082 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

MAKER'S MARK DISTILLERY, INC.,)	
)	
Opposer,)	
)	Opposition No. 91239589
v.)	
)	
)	USSN 87/383,989
)	Mark: BOWMAKER'S WHISKEY
BOWMAKER'S WHISKEY COMPANY,)	
)	
Applicant.)	

STIPULATION

Opposer, Maker's Mark Distillery, Inc., and Applicant, Bowmaker's Whiskey Company, through their undersigned counsel, do hereby stipulate and agree for purpose of this opposition as follows:

The file history of the trademark application for BOWMAKER'S WHISKEY, U.S. Application Serial No. 87/383,989, filed on March 24, 2017, is Applicant's Testimony Exhibit 14 .

The trademark examining attorney's search strategy from Applicant's Testimony Exhibit 14 is as follows:

*** User:lwright ***

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	1	0	1	1	0:01	"bowmaker's whiskey"
02	1	0	1	1	0:01	"bow maker's whiskey"
03	2	1	1	1	0:01	"bowmaker's"
04	4	3	1	1	0:01	"bow maker's"
05	86689	N/A	0	0	0:03	*bo{"ughw"0:3}*["bi,ti] not dead[id]
06	2648	N/A	0	0	0:01	*m{"v"}{"ckqx"}{"iey"}r*["bi,ti] not dead[id]
07	99	0	99	96	0:01	5 and 6
08	31006	N/A	0	0	0:01	5 and "033"[cc]
09	57394	N/A	0	0	0:02	bo{"ughw"0:3}*["bi,ti] not dead[id]
10	20264	N/A	0	0	0:01	9 and "033"[cc]
11	3436	N/A	0	0	0:02	*bow*["bi,ti] not dead[id]
12	1156	N/A	0	0	0:02	11 and "033"[cc]
13	372	0	372	343	0:01	11 and ("033" "031" "030" "032" "040" a b "200")[ic]
14	992	N/A	0	0	0:01	6 and "033"[cc]
15	397	N/A	0	0	0:01	6 and ("033" "031" "030" "032" "040" a b "200")[ic]
16	2196	N/A	0	0	0:01	*ma{"ckqx"}{"iey"}r*["bi,ti] not dead[id]
17	2347	N/A	0	0	0:01	*ma{"yckq"1:2}*["iey"]r*["bi,ti] not dead[id]
18	99	0	97	94	0:01	5 and 17
19	867	N/A	0	0	0:02	17 and "033"[cc]
20	328	0	326	311	0:01	17 and ("033" "031" "030" "032" "040" a b "200")[ic]
21	88	0	86	85	0:01	15 not 20

Session started 6/19/2017 9:01:35 AM

Session finished 6/19/2017 9:18:47 AM

Total search duration 0 minutes 27 seconds

Session duration 17 minutes 12 seconds

Default NEAR limit=1ADJ limit=1

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The Trademark Office records examined by the examining attorney under search “# 20” would have located 328 trademarks. The following trademark registrations would have been included among the 328 trademarks: MAKER’S MARK, Registration No. 678,192; MAKER’S 46, Registration No. 3,967,288; MAKER’S, Registration No. 4,964,096; and MAKER’S MARK PRIVATE SELECT, Registration No. 5,286,883.

Dated: December 22, 2020

Maker's Mark Distillery, Inc.

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